

**IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

GERALD D. SMITH,

Petitioner,

V.

HAROLD W. CLARKE,

Respondent.

Case No: 4:04CV3369

ORDER DIRECTING CLERK TO RETURN STATE COURT RECORDS

The above referenced case is closed and the appeal time has expired.

IT IS ORDERED that the State Court Records filed as attachments to Filing #14, labeled S14A - S14R be returned to Kimberly A. Klein, counsel for Respondent, for appropriate disposition. The State Court Records may be picked up in Lincoln, Nebraska.

DATED this 6th day of October, 2006.

BY THE COURT

s/ Joseph F. Bataillon
Chief United States District Judge